

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

AMERICAN ALLIANCE FOR EQUAL
RIGHTS, a nonprofit corporation,

Civil File No. 0:24-cv-01748

Plaintiff,

**ANSWER TO COMPLAINT
FOR DECLARATORY AND
INJUNCTIVE RELIEF**

vs.

TIM WALZ, in his official capacity as
Governor of the State of Minnesota,

Defendant.

Defendant Tim Walz in his official capacity as Governor of the State of Minnesota answers the Complaint of Plaintiff American Alliance for Equal Rights as follows. Any allegation not specifically admitted in this Answer is denied.

INTRODUCTION

1. Defendant admits the allegations in paragraph 1 of Plaintiff's Complaint.
2. As to paragraph 2 of Plaintiff's Complaint, Defendant admits that the Board is composed of fifteen members appointed by the Governor for four-year terms. Defendant further admits that at the time of their appointment, at least five of the 15 members must be from a "community of color" or "an underrepresented community," pursuant to Minnesota Statutes section 148E.010, subdivision 20. Defendant denies any remaining allegations in this paragraph.

3. Defendant denies the allegations in paragraph 3 of Plaintiff's Complaint.

4. Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 4 of Plaintiff's Complaint.

5. As to paragraph 5 of Plaintiff's Complaint, Defendant denies any alleged violation of the constitutional rights of Plaintiff's members. Defendant lacks knowledge or information sufficient to form a belief about the remaining allegations in this paragraph.

JURISDICTION AND VENUE

6. As to paragraph 6 of Plaintiff's Complaint, Defendant admits that this Court has jurisdiction over claims arising under 28 U.S.C. §§ 1331, 1343(a)(3), and 2201. Defendant denies that he has violated federal law.

7. Defendant admits the allegations in paragraph 7 of Plaintiff's Complaint.

PARTIES

8. Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 8 of Plaintiff's Complaint.

9. Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph 9 of Plaintiff's Complaint.

10. Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 10 of Plaintiff's Complaint.

11. As to paragraph 11 of Plaintiff's Complaint, Defendant admits that he is the governor of Minnesota, that this lawsuit names him as a defendant in his official capacity, and that he appoints members to the Minnesota Board of Social Work who are qualified

for appointment pursuant to Minnesota Statutes Section 148E.025, subdivision 2. Defendant denies the remaining allegations in this paragraph.

FACTUAL ALLEGATIONS

12. Defendant admits the allegations in paragraph 12 of Plaintiff's Complaint.

13. As to Paragraph 13 of the Plaintiff's Complaint, Defendant denies the Board holds examinations to assess social work applicants' qualifications, but admits the remaining allegations in the paragraph.

14. Defendant admits the allegations in paragraph 14 of Plaintiff's Complaint.

15. Defendant admits the allegations in paragraph 15 of Plaintiff's Complaint.

16. As to the allegations in paragraph 16 of Plaintiff's Complaint, Defendant admits that "[a]t the time of their appointments, at least five members must be members of: (1) a community of color; or (2) an underrepresented community," pursuant to Minnesota Statutes section 148E.025, subdivision 2(e).

17. Defendant admits the allegations in paragraph 17 of Plaintiff's Complaint.

18. Defendant admits the allegations in paragraph 18 of Plaintiff's Complaint.

19. Defendant admits the allegations in paragraph 19 of Plaintiff's Complaint.

20. Defendant denies the allegations in paragraph 20 of Plaintiff's Complaint.

21. Defendant denies the allegations in paragraph 21 of Plaintiff's Complaint.

22. Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 22 of Plaintiff's Complaint.

CAUSE OF ACTION

23. As to the allegations in paragraph 23 of Plaintiff's Complaint, Defendant incorporates his responses to the incorporated allegations.

24. Defendant admits the allegations in paragraph 24 of Plaintiff's Complaint.

25. The allegations in paragraphs 25–30 of Plaintiff's Complaint assert legal conclusions to which no response is necessary.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests the following relief:

1. As to paragraphs 1 through 4 of Plaintiff's requests for relief, no response is necessary. To the extent a response is required, Defendant denies that Plaintiff is entitled to any relief whatsoever.

AFFIRMATIVE DEFENSES

1. Plaintiff's Complaint fails to state a claim upon which relief can be granted against Defendant.

2. Plaintiff lacks standing.

3. Plaintiff suffered no harm or damages as a result of the alleged wrongful actions of Defendant.

4. Plaintiff's claims and causes of action, in whole or in part, are barred by Eleventh Amendment sovereign immunity.

5. Defendant reserves the right to assert further affirmative defenses as they become known or available.

WHEREFORE, Defendant asks this Court issue its Order and Judgment as follows:

1. Denying the relief requested in the Complaint and entering judgment dismissing the Complaint with prejudice;
2. Awarding Defendant his costs and disbursements; and
3. Granting such other relief as the Court deems appropriate.

Dated: June 10, 2024

Respectfully submitted,

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